

§ 14.211

master or individual in charge and by each merchant mariner; but the second copy must not be signed by any of them.

§ 14.211 Posting of copy of shipping articles.

On commencement of a foreign, intercoastal, or coastwise voyage (including a voyage on the Great Lakes), each master or individual in charge of a vessel when shipping articles are required shall ensure that a legible copy of the articles, unsigned by the mariner, and without the next of kin information, is posted at a place accessible to the crew.

§ 14.213 Report of shipment of merchant mariner.

(a) When a vessel of the United States sails upon a foreign, intercoastal, or coastwise voyage (excluding a voyage on the Great Lakes), each master or individual in charge shall, at the commencement of the voyage, send one copy of shipping articles, signed by the master and by each merchant mariner, to the owner, charterer, or managing operator. The master shall keep the original throughout the voyage and enter in it all charges made to the crew during the voyage.

(b) (1) When a vessel of the United States sails exclusively on the Great Lakes, each master or individual in charge shall, at the commencement of the season, or once the vessel is put into service, whichever occurs earlier, send one copy of articles, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(2) The master or individual in charge shall every 60 days send supplementary particulars of engagement covering each mariner engaged during this period, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(3) The master of individual in charge shall, at the close of the season, or once the vessel is withdrawn from service, whichever occurs later, send articles, signed by the master and by each mariner, to the owner, charterer, or managing operator.

(c) When a vessel of the United States sails exclusively on bays or

46 CFR Ch. I (10–1–08 Edition)

sounds, each master or individual in charge shall, at least every 60 days, send articles, signed by the master and by each mariner, to the owner, charter, or managing operator.

(d) Any person who fails to comply with the requirements of this section is subject to a civil penalty of \$5,000.

Subpart C—Discharge of Merchant Mariners

§ 14.301 Paying off of merchant mariner during or after voyage upon which shipping articles are required.

Each master or individual in charge of a vessel when shipping articles are required shall complete and sign, and each merchant mariner paid off during or after such a voyage shall sign the articles and otherwise comply with the requirements of this subpart. When signed by the master or individual in charge and by the mariner, the articles constitute a release from the duties to which they bound their parties.

§ 14.303 Discharge of merchant mariner in foreign port.

Upon the discharge of any mariner in a foreign port, the master shall make the required entries on the ship's articles. Upon the request of the master or a mariner, the consular officer shall discharge the mariner in accordance with the requirements of 46 U.S.C. 10318.

§ 14.305 Entries in continuous discharge book.

If the merchant mariner holds a continuous discharge book, the master or individual in charge of the vessel shall make the proper entries in it.

§ 14.307 Entries on certificate of discharge.

(a) Each master or individual in charge of a vessel shall, for each merchant mariner being discharged from the vessel, prepare a certificate of discharge and two copies; whether by writing or typing them on the prescribed form with permanent ink or generating them from computer in the prescribed format; and shall sign them with permanent ink. The prescribed format for a certificate of discharge is

Coast Guard, DHS

§ 14.313

the same as the present form CG-718A (Rev. 3-85). The left portion of the form has the mariner's printed name, signature, citizenship, and merchant mariner's document number; the certification statement, date and the master's signature. The right portion of the form contains the rate/rank the mariner is serving on the voyage, date and place of shipment, date and place of discharge, name of the vessel, name of the operating company, official number of the vessel, class of the vessel, and the nature of the voyage.

(b) Each mariner being discharged shall sign the certificate and both copies with permanent ink.

(c) When the mariner leaves the vessel, the master or individual in charge shall give the original certificate to the mariner.

(d) Except as directed by § 14.313, the shipping company shall keep both copies of the certificate.

(e) The company shall provide copies of certificates of discharge to the mariner and the Coast Guard upon request.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2002-13058, 67 FR 61278, Sept. 30, 2002]

§ 14.309 Entries in shipping articles at end of voyage.

(a) At the end of each voyage upon which shipping articles are required, the master or individual in charge of the vessel shall—

(1) Complete the articles, conforming the pertinent entries in them to those on the certificate of discharge and its copies;

(2) Note in the articles the execution of each Mutual Release;

(3) Attach to the articles each Mutual Release and a copy of each certificate; and

(4) Pay to each merchant mariner all wages due.

(b) When paid off, each mariner shall sign the articles.

§ 14.311 Report of discharge of merchant mariner.

(a) At the end of each foreign, intercoastal, and coastwise voyage by a vessel of the United States, or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season on the

Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping company shall electronically transmit the data from the certificates of discharge to an electronic address which the shipping company may request from the National Maritime Center.

(b) If the data is submitted manually, the shipping companies shall provide the data for foreign and intercoastal voyages at the end of each voyage. For coastwise voyages or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season of the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping companies shall submit a copy of each certificate of discharge to the address in § 14.103(a) at least once per calendar month.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

§ 14.313 Storage of shipping articles and of certificates of discharge.

(a) Each shipping company shall keep all original shipping articles and copies of all certificates of discharge for 3 years. After 3 years the shipping companies shall prepare the original shipping articles in alphabetical order by vessel name and send to the address in § 14.103(a) for storage at the Federal Records Center at Suitland, Maryland. The company may dispose of the copies of certificates of discharge. The Coast Guard will dispose of copies of certificates submitted manually, once the data are entered into its sea-service database and are validated.

(b) Each shipping company that goes out of business or merges with another company shall send all original articles to the address in § 14.103(a) within 30 days of the transaction.

(c) The shipping company must provide copies of shipping articles and certificates of discharge to the mariner and the Coast Guard upon request.